

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 ROBERT ROYCE BYFORD,

5 Petitioner,

6 v.

7 WILLIAM GITTERE, *et al.*,

8 Respondents.

Case No. 3:11-cv-00112-JCM-CSD

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 200)**

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11 In this capital habeas corpus action, the respondents filed their answer on
12 March 15, 2023. Petitioner Robert Royce Byford, who is represented by appointed
13 counsel, was then due to file a reply by September 11, 2023. See Order entered
14 August 27, 2021 (ECF No. 135) (180 days for reply).

15 On September 11, 2023, Byford filed a motion for extension of time (ECF No.
16 200), requesting a 179-day extension of time, to March 8, 2024. Byford's counsel states
17 that the extension of time is necessary because of the complexity of this matter and her
18 obligations in other cases. Byford's counsel states that Respondents do not oppose the
19 motion for extension of time.

20 The Court finds that Petitioner's motion for extension of time is made in good
21 faith and not solely for the purpose of delay, and that there is good cause for the
22 extension of time requested.

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1 **IT IS THEREFORE ORDERED** that Petitioner's Request for Extension of Time
2 (ECF No. 200) is **GRANTED**. Petitioner will have until and including **March 8, 2024**, to
3 file his reply to Respondents' answer. In all other respects, the schedule for further
4 proceedings set forth in the order entered October 24, 2019 (ECF No. 88) remains in
5 effect.

6 **IT IS FURTHER ORDERED** that, pursuant to Federal Rule of Civil Procedure
7 25(d), William Gittere is substituted for William Reubart as the respondent warden. The
8 Clerk of the Court is directed to update the docket to reflect this change.

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10 DATED September 13, 2023.

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JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE

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